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Federal Communications Commission
Office of the Secretary

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

PacTel Paging

Request for Pioneer's Preference
Respecting the Ground-to-Air
Service

)
)
) ET Docket No. 92-100
) PP-39
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)
)

OPPOSITION

GTE Airfone Incorporated ("GTE"), by its attorneys, pursuant to Section 1.402 of the Commission Rules and Public Notice No. DA 92-712, released June 4, 1992, hereby submits its Opposition to the Pioneer Preference Request of PacTel Paging for Ground-to-Air Paging ("PacTel GAP") which proposes one way ground-to-air paging service in the 930-931 MHz band. On June 1, 1992, PacTel Paging filed a Supplement to its Request for Pioneer's Preference. For the reasons set out below, GTE opposes grant of a Pioneer's Preference to PacTel, which has not carried the significant burden required to persuade the Commission that its proposal has sufficient merit to justify grant of a preference.

DISCUSSION

PacTel's proposed service is not innovative.

Many of the parties filing comments in this matter have set forth the requirements that the Commission has emphasized in order to obtain the grant of a Pioneer's Preference.¹ PacTel

¹ Establishment of procedures to Provide Preference to applicants Proposing an Allocation for New Services, Gen. Docket No. 90-217 ("D.90-217"). Report and Order (the "D.90-217 Report and Order"), 6 FCC Rcd 3488 (1991), modified, Memorandum Opinion

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Paging's proposal falls short of the required showing of innovation. PacTel's proposal neither leads to the establishment of a service not currently provided or to a substantial enhancement of an existing service. Paging service has been available for decades and nationwide paging services have been available for a number of years. In addition, the service is not a substantial enhancement of an existing service. PacTel's proposal uses an uptilt antenna and proposes coordination of a simultaneous nationwide broadcast over its system, instead of broadcasting to multiple local areas on a less precisely coordinated basis like current nationwide paging. These slight variations on currently offered nationwide paging services do not constitute "substantial" enhancements, as current service providers can most likely accomplish such modifications to their services readily, should demand so warrant. Additionally, at least one nationwide paging service has included the idea of receiving pages in aircraft in its promotions.

Similar services will be provided in the near term.

GTE Airfone has already announced that it will provide ground-to-air voice communications. GTE Airfone also believes that other air-ground radiotelephone service providers, if not currently planning such service, will most likely need to provide such capability in the future. In addition, at least one other air-ground licensee has proposed ground-to-air messaging as a future service offering.

PacTel's service does not further the public interest.

PacTel's service does not serve the entire flying public in that it will not be available to all travelers, only those who have chosen to purchase this niche service and carry a specially configured pager. The services proposed by GTE Airfone and other air-ground service providers would be available to any air traveler. PacTel's service also does not serve the public interest as it does not result in spectrum efficiencies nor is it necessarily the best use of the bands requested.²

CONCLUSION

In summary, PacTel's proposed service is neither novel nor a significant enhancement on an existing services. Existing paging companies should be able to provide the proposed service with reasonable modifications to their existing systems. Similar services will soon be provided by existing air-ground service providers and therefore allocation of separate frequencies for this limited service would not further the public interest.

² There have been a significant number of requests for a wide variety of services to use the frequencies requested by PacTel. See Comments of Mobile Telecommunications Technologies Corporation, ET Docket 92-100, June 1, 1992, at 6.

Accordingly, PacTel's request should be denied.

Respectfully submitted,

GTE Airfone Incorporated

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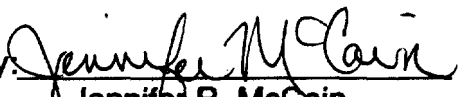
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June 19, 1992

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Certificate of Service

I, Jennifer R. McCain, hereby certify that copies of the foregoing "Opposition of GTE Airfone" have been mailed by first class United States mail, postage prepaid, on the 19th day of June, 1992 to the parties on the attached list:

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